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## CONGRESSIONAL RECORD — APPENDIX

## REPUBLICANS AND RIGHTS

strators in Selma, Ala., bombings and arson across the South, the murdered, blinded and maimed are all part of a willful defiance of law.

In all the above killings, not a single conviction has been obtained.

Mickey Schwerner, James Chaney, Andrew Goodman may have cried out that night in June 1964. We will never know. If they did, they cried for justice.

[From the Washington Post]

# SEGREGATION THRIVES ON JIM CROW JUSTICE

(By Jack Nelson)

ATLANTA.—You might say it was a case of conscience.

In a State capitol building in the South, a State official and a reporter were poring over records of criminal cases. They had waited until it was dark outside because the official had wanted it that way.

"When it comes to the Negro, the callousness of some courts is unbelievable," he had said. "Certainly, I'll help you all I can. I can show you plenty of cases. But come at night."

Politically, he could not afford to be identified with an attempt to pinpoint the evils of Jim Crow justice, which pervades southern courthouses, enforcing segregation with a cruel double standard of crime and punishment.

But he wanted to help because the injustices of the system sickened him.

"Don't even identify the State," the official said as he handed the reporter a stack of records. "It's immaterial anyway. The same things happen in other States."

A teenage Negro boy, who had never been in trouble, was hunting when a gang of white boys on a drinking binge happened by and decided to "devil" him. One of them grabbed his gun and it accidentally fired, killing the son of a leading citizen.

An all-white jury convicted the Negro of murder and sentenced him to life imprisonment.

"If the boy had been white," a witness said, "he never would have been tried."

An elderly white woman, jaywalking despite being repeatedly warned by police, was killed when she walked into the side of a car driven by a Negro. No case was made immediately, but several days later, after pressure by the woman's relatives, the Negro was charged with manslaughter.

A white neighbor, who witnessed the incident, said he was "not a nigger lover," but that the Negro was railroaded.

"If it had been two white men," he said, "nobody would have pulled time."

A white man does not have to die for a Negro to be prosecuted for a major crime as a result of an auto accident in one case where a white man suffered a broken leg in a two-car collision, an elderly Negro man was sentenced to 8 years for assault with intent to murder.

Negro teenagers often suffer harsh punishment for first offenses.

One youth without an arrest record had left his State looking for a job. Hungry and penniless, he broke into a small grocery and was eating Vienna sausage from a can when local police collared him. He got 5 years for burglary.

A Negro youth, whose family had worked for his white employer for more than 40 years, began taking chewing gum, candy, and ice cream from the white man's grocery. He received a 6-year sentence for burglary because the court thought he was "getting out of hand."

Eying the stack of records and declaring they comprised a "small sample" of the injustices he has seen, the State official declared:

"Certainly a man should not be sentenced just to satiate some prejudice in the court-

room or the community. But that is what often happens. Something must be done to guard the rights of people unable to take care of themselves."

More than half of the cases shown the reporter involved defendants who were tried or pleaded guilty, without benefit of counsel, on accusations drawn by prosecutors.

"The most glaring abuses are in that area," the official said.

None of those cases in any way concerned civil rights demonstrations.

But, reports by the U.S. Civil Rights Commission document, hundreds of instances in which Negroes in desegregation cases and Negroes and whites in civil rights demonstrations have been treated unjustly by courts and law enforcement officers in the South.

Daniel H. Pollitt, professor of law at the University of North Carolina, has pointed out that even attorneys seeking to defend civil rights workers often run into trouble in Jim Crow courtrooms. Writing in the December 1964, North Carolina Law Review, Pollitt declared:

"The small band of southern attorneys who undertake 'racial' litigation often find the common courtesies of the bench and bar denied them."

Of the arrest of Clyde Kennard, the first Negro applicant to all-white Mississippi Southern University, Pollitt wrote:

"He was convicted of stealing five sacks of chicken feed on the basis of rather tenuous evidence. His lawyer was charged with contempt of court for explaining to the press that the sentence of 7 years hard labor was a 'mockery of justice.'"

Warren Fortson, a young white attorney in Americus, Ga., recently charged that officials used morals charges against two teenagers, the daughter and son of two prominent Negro families, to prevent them from taking part in civil rights demonstrations.

"We have made great progress in desegregation and race relations," Fortson said. "But the courthouse crowd has done everything they could to harass. The oppression of the courts and law enforcement are Negroes' major grievances now."

## Republicans and Rights

### EXTENSION OF REMARKS OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, September 9, 1965

Mr. SCOTT. Mr. President, I was honored to serve as a member of the task force on human rights and responsibilities which drafted the position paper, "Equality in America: A Promise Unfulfilled," approved and released by the Republican Coordinating Committee at its August 30 meeting here in Washington. In an editorial praising the Committee for its action, the Christian Science Monitor expresses the feeling that the Republican Party "has legitimate historical justification for its present call for action on civil rights in a balanced framework of Federal, State, local, and private participation."

I ask unanimous consent that this editorial be printed in the Appendix of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Republicans continue to move forward responsibly in statements on individual rights and public responsibility.

This is in keeping with the civil rights traditions of the party of Lincoln. In recent years these traditions have been upheld by such action as that of Dwight Eisenhower in obtaining the first modern civil rights legislation from the U.S. Congress. They appeared to be threatened last year when the Republican standard bearer, Senator Goldwater, defied most of his colleagues and voted against the Civil Rights Act.

Recently, after the Los Angeles riots, Mr. Goldwater said: "I don't discount the agitation that took place, but I think we better get on with the job of providing training, providing incentive, and providing integration wherever it doesn't exist for all people, whether they be Negro or white, whose education and economic backgrounds have not been as fortunate as some of the others."

Now the Republican Coordinating Committee has issued a paper on civil rights that not only deplores "violence, illegal breach of the peace by any kind of mob," but asks for positive governmental action in support of law.

For example, it calls for "immediate and full implementation" of a provision for fast desegregation of schools in the Civil Rights Act of 1964.

But the Republicans wisely did not stop with urging necessary Federal measures. They said that, "as Republicans, we believe that while civil rights is a national problem and national responsibility, it is also the responsibility of State and local governments as well." And it took the next and no less important step of urging "private action at the local level to insure equal opportunity for all in the fields of education, housing, employment, and public accommodations."

Clearly, if the action outlined here had been undertaken more fully in the American past, the involvement of the Federal Government would have been less demanded in recent years. In the solid South, for example, the prevailing Democratic forces all too often supported a status quo not in keeping with national ideals.

As the Democrats moved to center stage in the struggle for civil rights there was a danger that Republicans would turn back on their party's ideals and exploit white dissatisfaction with change. It would be naive to discount political motives in the new Republican alignment with the trend of minority progress. Yet we feel the party has legitimate historical justification for its present call for action on civil rights in a balanced framework of Federal, State, local, and private participation.

No Division of Vietnam

### EXTENSION OF REMARKS OF

HON. RAYMOND F. CLEVINGER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. CLEVINGER. Mr. Speaker, efforts to split our determination to face the Communist threat in Vietnam into petty political factions were squelched by former President Dwight D. Eisenhower. I believe the following article from the Saginaw, Mich., News of August 22 does an outstanding job of setting these matters to rest:

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Mobile to Gadsden within the next decade. Improvements from Gadsden to Rome are assured.

Also authorized by Congress is the development of the Chattahoochee for 265 miles from the Gulf Intracoastal Waterway to Phenix City, Ala. This will provide a 9-foot navigation channel, reduction of flooding, development of hydroelectric power, and increased water supply. Dam construction is progressing.

Improvement of the Choctawatchee and Conecuh Rivers is anticipated within a few years. The Corps of Engineers is engaged in studies on navigation, flood control, and other benefits.

When planned improvements on the State's waterways are completed by the end of 1970, every county in the State will be within 60 miles of navigable water.

As business and Government leaders see it, this will be the key to Alabama becoming the Southeast's economic leader.

## Invitation to Violence

EXTENSION OF REMARKS  
OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, September 9, 1965

Mr. THURMOND. Mr. President, I am pleased to call to the attention of my colleagues an excellent editorial broadcast over Jefferson Broadcasting Co. of Charlotte, N.C., on August 31, 1965. The editorial is entitled "Invitation to Violence." I ask unanimous consent, Mr. President, that this editorial be printed in the Appendix to the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

## INVITATION TO VIOLENCE

Students of psychology are familiar with the negative suggestion that brings positive results. If you tell a child not to play in the mud, you need not be surprised to find him playing in the mud in the next 5 minutes. Telling him not to do something may put the idea in his mind when he may not have thought of it before.

President Johnson's warning that there may be riots in the District of Columbia, which is now 60-percent Negro, if the Capital's racial problems are not solved could be put in the class of the negative suggestion that might lead to an unfortunate result.

Riots do not occur as the result of planning by the general public, and probably very few people in Washington have been considering starting a riot. But there seems to be a general feeling in Washington that the President phrased his warning in an effort to force Congress into acting on a home rule bill for the city.

If enough discontented people chose to do so, they might reason: "The President says we can riot if we don't get home rule. So let's go."

Of course, the President did not think of it in that way at all. But as a former schoolteacher, he might have recalled Shakespeare's "Julius Caesar." This was the classic example of a negative suggestion by Marc Anthony that incited a mob, led to civil war, and almost overthrew an empire.

The tinderbox of Washington is in many ways as dangerous today as Rome was when Mark Antony made his famous speech. Because there really is imminent danger in the situation, it is even more important to

avoid saying anything that could be taken as an invitation to violence.

Possible home rule for Washington and racial tensions there are two different things, and no one should be encouraged to think they are connected. Under normal conditions, we would say that the people of the city should have a greater voice in their local affairs. But as the President said, Washington does not have normal conditions.

The reason that Congress has governed Washington up to now is because so many of the city's problems concern Federal rather than local services and institutions. It is quite probable that not enough attention has been given in the past to the needs of the private population. But if there is a time of crisis now, then this is not the time to change the system drastically.

Washington has many problems in housing, employment, education, and rising crime rates that would not be solved overnight by giving home rule to the residents. Yet their sullen frustration at these problems is only needled further by public statements from the President which are intended to put political pressure on Congress, but might have the result of making an explosive situation worse.

This is no time to be striking matches in powder factories.

Invitation to respond has been sent to White House Press Secretary Bill Moyer.

## Southern Justice Is Segregated

EXTENSION OF REMARKS  
OF

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. DIGGS. Mr. Speaker, on August 27, Natchez, Miss., civil rights leader, George Metcalfe, was seriously wounded when a bomb, hidden beneath the hood of his car, exploded as he turned on the ignition. The FBI in Mississippi immediately announced it would take charge of the hunt for the bombers and Mayor Nasser, of Natchez, called for the apprehension and bringing to justice of the criminal. But a forecast of major trouble in Mississippi has been made. Both Klansmen and members of the militant Negro Deacons for Defense are known to be heavily armed. Negro citizens of Mississippi have declared that since there is a total collapse of law and order in that State and since they cannot obtain protection from Federal sources, they will no longer suffer murder and atrocities upon their homes and persons without defensive action.

Mr. Speaker, I have two recent news articles, one from Look magazine and one from the Washington Post, which set forth in starkest terms the story of southern justice which has now brought us to this fearsome threshold.

The articles follow:

[From Look magazine]

SOUTHERN JUSTICE

(By Charles Morgan, Jr.)

They were an unlikely trio on an unlikely trip. Few young people go to Philadelphia, Miss., except to visit the campgrounds of the "granddaddy of county fairs." Neshoba County's people are older; most of the young folk move away.

Michael Schwerner, 24, and Andrew Goodman, 20, both northerners and white, had hope for Neshoba County and, indeed, all of Mississippi. Their Negro comrade, James Chaney, 21, of Meridian, Miss., had hope, too—that Negroes might be free, that Negroes and whites might learn to live together. They were special young men. That is why they disappeared on a June night in 1964.

Forty-four days later, their bodies were dug out of a red-clay dam on the old John Townsend place, 5 miles from Philadelphia. They had been shot to death. Chaney's body had been mangled.

Southern justice is segregated. Judges, juries, sheriffs, police, troopers, and FBI agents are white. So are jailers, bailiffs, marshals, lawyers, stenographers, clerks, and coroners who command southern court-houses and jails and electric chairs.

## Federal courts, 11 Southern States

	Total	White	Negro
Circuit court judges.....	12	12	0
District court judges.....	65	65	0
U.S. commissioners.....	253	253	0
U.S. clerks.....	28	28	0
Deputy U.S. clerks.....	321	321	0
U.S. attorneys.....	29	29	0
Assistant U.S. attorneys.....	158	153	5
Jury commissioners.....	109	109	0
U.S. marshals.....	29	29	0
Deputy U.S. marshals.....	155	156	9

In the Deep South, where Sunday morning foot washing may precede Sunday evening killing, justice is a weapon of repression. Lawmen are elected because they "know how to handle niggers." So do judges. Yet Negroes are told to fight their battle in white courts—courts that free white killers of Negroes, but punish Negroes harshly for minor offenses against whites. Meanwhile the list of dead is growing:

William L. Moore, 35, white Baltimore postman. Shot near Attalla, Ala., April 23, 1963.

Medgar W. Evers, 37, NAACP field secretary. Ambushed in Jackson, Miss., June 12, 1963.

Denise McNair, 11, Cynthia Wesley, Carol Robertson, and Addie Mae Collins, 14, Negro schoolgirls. Killed in church bombing, Birmingham, Ala., September 15, 1963.

Johnny Robinson, 16, Negro. Killed by policeman's shotgun after church bombing, Birmingham, Ala., September 15, 1963.

Lemuel A. Penn, 49, Negro school official returning to Washington, D.C., from Army Reserve training. Killed by shotgun blast on north Georgia highway, July 11, 1964.

Jimmie Lee Jackson, 26, Negro. According to witnesses, shot by State trooper while protecting his mother from beating, Marion, Ala., February 18, 1965. Died, February 26.

The Reverend James J. Reeb, 38, white Boston Unitarian minister, clubbed, Selma, Ala., March 9, 1965. Died, March 11.

Viola Gregg Liuzzo, 39, white Detroit housewife, killed on U.S. Highway 80 near Selma, Ala., March 25, 1965, following Montgomery march.

And there are forgotten casualties: Walter Bergman, freedom rider from Detroit, crippled in a beating on a bus near Birmingham. He will spend his life walking with canes. Little Sarah Jean Collins, 12, almost totally blinded in the bombing of the church in Birmingham, Ala.

And forgotten murders: Emmett Till, 14, Negro, murdered August 28, 1955. His killers went free. Mack Charles Parker, 23, Negro, lynched April 25, 1959. No one remembers the names of the two white men killed in the Ole Miss riot, Oxford, Miss., September 30, 1962. And no one will ever know how many more victims lie awash in the swamps and bayous of the Deep South.

The struggle in the South is not a battle for law and order. It is the struggle of law, new law, against the harsh, old order. Troopers and deputies who club demon-

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Mr. Shaw notes that there are fewer and fewer taboos to be observed in sex books. "The censors have suffered several setbacks nationally," he says. "Our main problems now are the local level."

Until 2 or 3 years ago, nymphomania was the most popular theme for the pulp paperbacks. Since then, however, lesbianism has gained the ascendancy, although it appears now to be losing ground to male homosexuality. Books about sado-masochism and fetishism, generally involving secluded castles, bullwhips, tight leather suits, and spike-heeled boots, have also become popular.

## SELLING TRICKS USED

The preparation of the final package is regarded in the trade as a high art. The key elements are a lurid cover painting, generally costing \$200 or \$300; spicy blurbs on the front and back covers and the first inside page, and a suggestive title.

Some title words apparently have a hypnotic effect on buyers. One compilation of current books includes "Flesh Avenger," "Flesh Drunk," "Fleshpot," "Flesh Castle," "Flesh Cousins," "Flesh Fancy," "Flesh Hunt," "Flesh Prize," "Flesh Town," "Flesh Village," and "Flesh Whip."

The manuscripts are also carefully edited. Some writers get carried away and have to be toned down from anatomical specificity to general suggestiveness. Most concerns remove all profanity. It is not considered to be in good taste.

Four-letter words, which are common in serious fiction, are carefully avoided, because they are considered to have an antierotic effect on readers. One sex book writer who was asked if he used obscenity in his stories replied "Good God, no—that's dirty."

Because a lot of the buying of pulp books is on impulse, most publishers try to get some mention of sex in each paragraph. In this way, the casual browser will be caught up in the product no matter where he opens the book.

The last task is to give the book a message. This practice is based on a Supreme Court ruling defining obscenity as material "utterly without redeeming social importance."

A letter to writers from one sex book publisher discusses the matter in depth. "Essentially, we are interested in publishing adult novels exploring lesbian or heterosexual love as it applies to our society today," the letter begins.

Then comes the message:

"The attitude of society toward all the plot ingredients should be carefully considered. Whatever is frowned upon by society should not, obviously, be advocated in the plot. For example, in stories dealing with lesbianism, whether or not the characters ultimately decide to practice lesbianism is less important than their realization that such practice would result in financial, social, emotional and/or psychological problems which would offset the advantages they might find in lesbianism. Therefore, if they did decide to practice it, they would be doing so with full knowledge that their lives would not be completely happy."

## YEAR 1963 RULING RECALLED

Actually, in a 1963 ruling, State Supreme Court Justice J. Irwin Shapiro shifted the ground of the argument somewhat. His decision is regarded as a landmark by both civil libertarians and dirty-book publishers.

Justice Shapiro ruled that pulp sex novels, while "profane, offensive, disgusting, and plain unvarnished trash," still "have a place in our society."

"There are those who, because of lack of education, the meanness of their social existence or mental insufficiency, cannot cope with anything better," he argued. "Slick-paper confessions, pulp adventure and comic-book type of magazines provide them with an escape from reality."

"In an era of bikinis, which reveal more than they conceal; of cinemas, which show females swimming in the nude—one must conclude that these books, in the mores of these days, do not constitute hard-core pornography. Coarse they are, but so is much in our civilization."

## LOW PRINTING COSTS

The books cost from 5 to 7 cents a copy to print. Shipping, which is absorbed by the publisher, comes to another penny. The publisher generally realizes about half the cover price, which can range from 50 cents to \$1. The other half is divided between distributor and retailer. Press runs range from 50,000 copies for the small concerns to 100,000 for the large ones.

Retailers can increase their profits, however, by blacking out the original cover price and raising it a quarter. When this is done, the book is generally wrapped in cellophane to give it an extra illicit look and to discourage aimless browsing.

After the distributor, the last step in the production is the retailer. These are generally a group of tight-lipped, harassed men who must bear the brunt of police raids, fines, and pressures from censorship groups.

"I'm a businessman," the owner of one midtown store says. "If these creeps want to buy those books, I can't stop them. I don't even think about it; I just sell."

As he spoke, a group of purchasers milled around in the shabby "gentleman's section," pawing the products. Every once in a while the clerk would say mechanically, "All right, pick 'em out, pick 'em out—you can read them at home."

## FEW GET RICH

It is generally agreed in the trade that only a very few distributors and publishers have grown rich from the dirty book trade. Most in the business seem perpetually to be on the ragged edge of existence. "The only ones this business is good for are lawyers," one writer says.

There is no evidence that the pulp business is slackening. The writers and publishers continue to turn out the product, although some do it reluctantly.

Recently, a man in a respectable profession was appalled to find that a friend of his who writes dirty books under a pseudonym had dedicated one of them to him. He called the writer on the phone.

"How come," he asked, "you put my name in the book when you won't even use your own?"

"I should put my name on a book like that?" the writer replied.

## Automobile Liability Insurance Bill

EXTENSION OF REMARKS  
OF

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. DOWDY. Mr. Speaker, following House action on the automobile liability insurance bill, the Evening Star published an editorial entitled "Thanks to Mr. SICKLES" which was so falsely misleading that it was apparent to anyone familiar with the provisions of the bill that the editorialist had not even bothered to read the bill, or to otherwise inform himself as to the contents thereof.

Had the editorialist read the bill, he surely, if he subscribes to "If you read it in the Star it is true," would not have endeavored to leave the impression with

his readers that "motorists from every Congressman's home district" would be protected against uninsured motorists in the District of Columbia; nor would he have sought to leave the idea that the "many thousands of Senator TYDINGS' constituents (who) drive into Washington everyday, and run the risk of being hit by an uninsured motorist would receive any protection or consideration under the provisions of the bill passed by the House.

The truth is that the bill specifically excludes from its benefits any person who is not a resident of the District of Columbia; and it specifically excludes from its benefits any person who owns an interest in a motor vehicle. Any person who is resident of any congressional district, or who is a constituent of Senator TYDINGS is excluded from the benefits of the bill.

The fact, if it be a fact, that the editorial was written in ignorance does not excuse the editorialist from his duty to inform himself, nor does it excuse the Star from its duty and responsibility to correctly inform the public.

The editorial is an example of the kind of false propaganda foisted not only upon the people, but upon unsuspecting legislators who might, in misplaced faith in an irresponsible presentation, whether by a newspaper or otherwise, pass upon a proposal with as little exposure to the facts as evidenced by the Star in this instance.

Mr. Wallace M. Smith called this matter to the attention of the Star and asked for a more accurate presentation but same was not forthcoming. As a part of my remarks, I include Mr. Smith's correspondence with the newspaper, as well as his letter to me:

AMERICAN MUTUAL

INSURANCE ALLIANCE,

Chicago, Ill., September 9, 1965.

Hon. JOHN DOWDY,  
Rayburn House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN DOWDY: Today is the last hearing session of the Senate District of Columbia Committee on the District of Columbia uninsured motorist problem. Inasmuch as the Evening Star has not seen fit to publish our recent letter commenting upon its erroneous statement relative to this legislation, I thought perhaps it would be an appropriate time for inclusion in the CONGRESSIONAL RECORD.

Again thank you for all of your assistance and cooperation.

Sincerely,

WALLACE M. SMITH.

AUGUST 11, 1965.

EDITOR,  
The Evening Star,  
Washington, D.C.

DEAR SIR: Inasmuch as you supported the Commissioners automobile liability insurance bill for the District of Columbia and in such a biased manner, I trust that you will print in full in your newspaper the enclosed letter which presents some observations from another viewpoint.

Very truly yours,

WALLACE M. SMITH.

[From the Washington Evening Star, Aug. 10, 1965]

THANKS TO MR. SICKLES

The upset vote, 173 to 156, by which the House has approved a first-rate automobile liability insurance bill for the District can

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[Saginaw (Mich.) News, August 22, 1965]  
 Ike's "ROT" DECLARATION REAL SERVICE TO  
 NATION IN VIETNAM STRUGGLE

Former President Dwight D. Eisenhower, now almost 5 years out of the Nation's highest office, has done the Nation a distinct service by playing down as "rot" any suggestion that he and President Johnson are divided on present American policy in Vietnam.

While setting forth the exact meaning of the kind of aid the United States had pledged to South Vietnam as far back as 1954, the former President put in perspective the history of how that pledge has grown over the years to present full-scale military involvement.

At the same time, the former Chief Executive has eased the path considerably for Mr. Johnson by declaring that he backs present administration policy "as any good American should," and that there is no division with the White House on this score.

In light of frequent references by both the Kennedy and Johnson administrations to the American aid pledge to South Vietnam—much of it detailed in a letter written by General Eisenhower to President Diem in 1954—Ike chose to break his long silence with a full explanation of what American aid meant as translated into the situation which prevailed in southeast Asia at that time.

Mr. Eisenhower had a right to set the record straight and his explanation can stand on its merit. Aid then meant economic help, not military, as the general explained, and the need for military assistance, which was then not felt necessary, was to have been predicated on full SEATO response, not unilateral action. As it turned out, SEATO response never materialized when massive military assistance became necessary in 1961.

Further light is shed on recent history with the reminder that the U.S. commitment made during the Eisenhower years was tied to the premise that the Diem regime would achieve stability in South Vietnam. This, likewise, failed to materialize as a bad situation grew worse bringing the Diem downfall in 1963, open civil war heightened by Communist infiltration, and a succession of bad governments.

Thus, without saying it in so many words, the former President has made it clear that the decisions of a major military nature were carried forth by his successors in their best judgment—which he fully supports.

Mr. Eisenhower's simple declarative, however, was jumped on by doubters and taken as indication of a major break with administration policy. In setting the record straight on all scores, Mr. Eisenhower's statement of position is clear and edifying.

As he himself suggested, how would it look in the eyes of the rest of the world for a former President to be publicly mouthing disagreement with Mr. Johnson's Vietnam policy in times like these? Mr. Eisenhower has indicated this to be unthinkable. And it is.

### Paperback Smut Thrives as Outlets Continue To Grow

#### EXTENSION OF REMARKS OF

**HON. KARL E. MUNDT**

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Thursday, September 9, 1965

Mr. MUNDT. Mr. President, it is difficult to imagine that in a country like ours, which is reputed to be enlightened, educated, and alert to moral and social

evils, a sordid industry which preys on the perversity in men, is expanding into an \$18 million-a-year industry. This is the obscene literature racket, which wholesales in pornography and smut.

Mr. Paul L. Montgomery, writing in the New York Times on September 5, outlines the extent of the market in this trash. His story explains the new trends in sordid books, the increase in the number of outlets, and the prediction for even greater sales in this printed filth.

As one who has worked hard in an effort to set up controls on this traffic, I welcome this well documented story, which should help alert parents and others who want to protect our youth and our society from material which appeals to the prurient and the abnormal.

In two Congresses, the U.S. Senate has passed legislation which I have introduced which provides for a Commission on Noxious and Obscene Matters and Materials. I have introduced this bill again in this Congress. The number of the bill is S. 309.

I am happy to report that the Subcommittee on Education, in the House of Representatives, under the chairmanship of Congressman DENT, of Pennsylvania, is holding hearings on a bill almost identical to mine which was introduced by Congressman DANIELS, of New Jersey. I predict that in this Congress we will be able to take action necessary to hit a body blow at the distribution of obscene matters.

Because the article by Mr. Montgomery is so timely and so well written, and because I believe it bolsters the arguments which I and 28 other Senators who have cosponsored my bill believe in, I ask that the story by Mr. Montgomery be included in the Appendix of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### PAPERBACK SMUT THRIVES AS OUTLETS CONTINUE TO GROW

(By Paul L. Montgomery)

The pulp sex novel, once considered the preserve of pasty-faced men in shabby overcoats, has emerged from underground to become an \$18 million-a-year business.

This year, by conservative estimate, the burgeoning industry will produce 500 lurid titles exploring lesbianism, nymphomania, male homosexuality, sado-masochism, fetishism, incest and other pursuits that used to be treated primarily in medical journals.

In the well-ordered dirty book stores, of which there are now a dozen in midtown Manhattan, special sections are set aside for the most popular categories of aberrance. The largest emporium displays 1,000 titles, ranging from "Address for Sex" to "Wife Traders."

Much of the expanded market, however, has come from other outlets. Racks of the sex paperbacks blossom these days in many cigar and candy stores, and even some drug stores. They are a profitable item.

To some, the ready availability of the prurient indicates progress toward American maturity in matters sexual. Others, including the censorship groups and most churches, do not agree.

"A veritable floodgate of obscenity (has been) opened in the last 12 months in the form of obscene pocket books, magazines and greeting cards, to such an extent that it is unbelievable," the mayor's citizens anti-pornography commission reported recently.

There are few on either side of the argument, however, who would deny that the increasing number of sex novels are badly written, joyless, repetitious and twisted in their emphasis on the sneaky and the abnormal. It is difficult not to regard many of the outpourings of extravagant language and soaring passion as boring, if not comical. Even those who write and publish the works feel they are engaged in a less than noble profession.

#### FRUSTRATION A FACTOR

One commercial writer who has produced a number of the pulps says he writes "by and large for men who are afraid of women." He believes that men buy such books to feel superior to the heroines, who are either sexually insatiable, inclined toward lesbianism, or aggressively given to other unattractive practices. Thus the book buyer, the writer says, "feels he's not really missing a lot in relating so poorly to women."

The editor of a leading line of sex books believes his audience is primarily made up of "frustrated men." The books, he says, allow such men to "transfer their guilt feeling about their inadequacies from themselves to the women in the book." Lesbianism is the most popular theme at present, he believes, because the reader "gets two immoral women for the price of one."

The writers of the pulp novels get a flat rate averaging \$750 or \$1,000, although some smaller concerns pay much less. It takes about 2 weeks to complete a book.

According to one editor, many of the men and the few women, who write sex books have enough talent to move on to better things, but very few do. On the whole their lives are disorderly and speculative; few have families or live outside the large cities.

#### THREE CLASSES OF PUBLISHERS

The publishers fall generally into three classes. First, there are the three middle-of-the-road ones—Midwood Books and Lancer Books, both of 185 Madison Avenue, and Beacon Publishers, 808 Third Avenue. A second class, which produces slightly more sensational items, are the dozen or so concerns in Chicago, Detroit and on the west coast.

The third group, which is responsible for what the trade calls "the very rough stuff," consists of fly-by-night operators. These are men, generally of unsavory character and long experience in the trade, who conduct their business wherever there is space for their suitcase.

The suitcase operators generally begin by assembling two or three manuscripts, though they are not above stealing stories that have been printed by others. They get them printed cheaply, usually in a run of 50 or 60 thousand. The books appear with an imprint like "An Atlas Book" but have no publishers' name or address. They then sell their output to a distributor for about half the cover price and move on.

The fly-by-night product is selectively distributed—that is, it goes only to "trustworthy" outlets. Most of it is available in the midtown stores.

#### SUGGESTION EMPHASIZED

The more respectable concerns put out a polished product, long on suggestion but short on actual prurient content. Larry Shaw, the editor of Lancer Books, says he judges manuscripts on whether the writer has a story to tell aside from sex. Readers of the concern's Domino Books, the sex book line, would be really disappointed if they are looking for pornography, Mr. Shaw says.

The 10 Domino books for August and September include 7 that, judging from the covers, have a lesbian theme. The others, the covers say, are about a desperately wanton woman, an untamed, man-crazy temptress and a Manhattan apartment overflowing with warmly wanton girls.



velop greater acceptance of the principle of law and order rather than resorting to force and aggression.

The legal profession and all those associated with that profession—and that includes indirectly parliamentarians of all nations—have a magnificent opportunity to show the way for mankind to seek and attain peace through law and order. Any progress in this direction will be to the advantage of civilization and the survival of humanity.

### Outlook on Vietnam Improves

#### EXTENSION OF REMARKS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that my newsletter of recent date, Capital Comments, be printed in the Appendix of the RECORD.

The newsletter follows:

#### OUTLOOK ON VIETNAM IMPROVES

(By JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

An air of cautious optimism is running through congressional and administration circles as reports reach Washington that U.S. military power is being applied with increasing effectiveness against the Vietcong in the battles in southeast Asia.

It is too early to overstate the case—to indicate that the tide has turned generally. But the fact is that in the first major U.S. engagement of the war on the Van Tuong Peninsula near the U.S. air base at Chu Lai, this Nation demonstrated to North Vietnam just what happens when the Vietcong is forced to stand and fight in regimental strength.

The Communists were soundly beaten, caught in a military trap, cut off from escape and cut to shreds. The message implicit in this encounter will not be lost on Ho Chi Minh, the premier of North Vietnam.

The feeling here is that American military might is being felt in Vietnam. Our planes are strafing and bombing strategic military targets in North Vietnam. Our troops are assisting the South Vietnamese in detecting the enemy in South Vietnam and aggressively attacking. Supply routes have been bombed repeatedly and the stream of the enemy troops and materiel into South Vietnam slowed markedly.

The Communists do not understand democracy. They do not understand that while there is some American disagreement and dissent that we are united. Simply because there is some dissent from President Johnson's foreign policy does not mean that this dissent will be reflected in any degree in the Nation's military effort.

As a matter of fact, there has been remarkable unity on American policy in Vietnam among members of both parties—and this unity seems to be growing stronger as President Johnson's determination begins to bear fruit in terms of greater success for the forces of freedom.

Ambassador Averill Harriman reportedly made it clear to the Russians that the U.S. commitment in South Vietnam will be backed to the hilt, that there will be no equivocation and withdrawal to permit a Communist takeover.

The North Vietnamese had let it be known that during the monsoon season it would make its major effort to drive American

forces into an untenable position in Vietnam. The nation is well into the monsoon season and the Vietcong has been unable to muster the resources and the men to make the gigantic attack necessary to inflict a telling defeat on the South Vietnamese and American troops.

Morale in South Vietnam appears to be rising. Reports indicate it is weakening in North Vietnam.

All of these factors add up to a more optimistic mood on Vietnam. But we are not out of the woods. The advantage in a guerrilla war is with the aggressor. He can pick his time and spot for an attack. He can concentrate forces overwhelmingly superior to the forces he is attacking. He is operating in familiar jungles.

The casualties in the Vietcong and its North Vietnamese elements are rising. They are being pounded. Their supply lines are in jeopardy. And, most important, they are losing face.

Losing face in the Orient is a prelude to losing everything. It means loss of spirit, lowered morale, less cooperation from civilians, and a loss of prestige and power.

The sands of history are shifting to Vietnam. And time now may be running on our side—the side of liberty and freedom.

### Sea-Air Blockade of Vietnam

#### EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1965

Mr. BRAY. Mr. Speaker, a sea-air blockade of North Vietnam is the only way the Allies can win in South Vietnam according to the author of an article which appears in the comment and discussion section of the September 1965 issue of the U.S. Naval Institute Proceedings which is published by the U.S. Naval Institute at Annapolis, Md.

I submit for inclusion in the RECORD this article by Rear Adm. Robert H. Rodgers, U.S. Navy, retired:

#### AMERICA'S BEST WEAPON

(By Rear Adm. Robert H. Rodgers, U.S. Navy, retired)

The only way that the United States can win in Vietnam, in my opinion, is with a naval blockade of North Vietnam. President John F. Kennedy had only to threaten to blockade Cuba to bring the Soviet Union to terms. Had the blockade been employed, Fidel Castro would have withered on the vine. When communism can no longer expand its influence with open seaports, communism will die.

The most dangerous act, short of all-out war, is reprisal. One reprisal begets another. The Communists act, then we react. How can we regain the initiative?

Our current dilemma results from failure to employ sea power properly. Why has blockade been a dirty word to our policymakers? The failure to blockade Red China in the Korean conflict was due to the Department of Defense's land concept, the Department of State's abhorrence of the word, and the constant prodding of our Allies, who feared most a loss of trade.

The blockade has always been accepted in international law as a legal step short of war. The main ingredient in war is armed conflict. The naval blockade avoids this.

Recognized blockades include:

1. A paper blockade established by merely stating that an area is out of bounds. No

force is used and none is intended. It might scare the timid, or bluff those who fear its expansion to more effective steps.

2. A commercial blockade using persuasion to encourage friendly nations to refrain from trade with an offending state. Commercial blockades seldom succeed as evidenced by the current U.S. action against Cuba.

3. The war blockade employing an all-out effort to bottle up an enemy after hostilities have commenced. The allied blockades of Germany in both World Wars are examples.

4. A pacific blockade with the closing of a sea area until such time as a limited objective is attained. Used in connection with an ultimatum it is not only an act short of war, but, in many cases, it will prevent one.

The essence of blockade is effectiveness. There must be a clearly defined area into which ships venturing must confront real danger. The Declaration of Paris (1856), which was agreed to by all major powers including Russia, clearly supports the use of a pacific blockade.

In 1827, Great Britain, France, and Russia blockaded Greece in order to induce Turkey, with whom they were at peace, to accept mediation in its war with the Greek insurgents. Since that incident, a pacific blockade has had the full sanction of international law.

This code, like common law, is affected by social and technical developments. Bolstering a blockade by new weapons and methods falls within accepted usage. For example, mines, radio, radar, aircraft, and underwater demolition teams could be employed in such an operation.

In Vietnam the United States faces ultimate defeat as long as it tries to slug it out in the jungles, employ air strikes, or make an uneasy and temporary peace. A new approach is needed.

It is proposed that the U.S. Navy activate, equip, train, and position a strong blockading force. Its composition would include minelayers, underwater demolition teams, destroyers, and supporting ships. Carrier forces would back up the blockade by providing air cover, by warning of approaching ships, and by showing force.

This blockade force would lay a minefield around the entrances to North Vietnam's ports. Additional minefields, perpendicular to the coastline, would be planted as barriers to coastal shipping. The largest ship or the smallest junk would be in grave danger should she attempt to run the blockade.

U.S. warships would warn off shipping, search the suspicious, and detain or reroute ships attempting to breach the blockade.

The mine blockade gives the greatest coverage with a minimum effort. It is equally effective against friend and foe.

In Vietnam the shallow Gulf of Tonkin is a prime target for mines. Mining it would close the water supply lines to China and prevent the replenishment of the Vietcong.

Such a blockade would also be effective against Communist China and Cuba, should the conditions warrant.

To blockade China it is only necessary to cut off seven ports. Ninety percent of that nation's trade would be halted by such action. Vessels bound for Hong Kong would be searched to see that they did not carry cargo destined eventually for Red China. In retrospect, the United States would be much better off if a blockade had been used in the Korean conflict in place of disastrous land warfare.

Cuba has only four main ports. It would be simple to seal off this Communist base. The longer such action is put off, the more difficult it will be.

It took the United States a century to build its seapower. It should not be thrown away. It is unthinkable that the United States should attempt to engage the Russian or Chinese hordes on land. This Nation's policies should be oriented toward the weapons and methods that it excels in.

The best bet is to restrict action to operations on the sea over the sea under the sea and from the sea. In war or peace, the safe path is to make a judgment as to where the balance of power lies, and having made that judgment to act decisively.

### Guard Mergers

#### EXTENSION OF REMARKS OF

**HON. ROBERT L. F. SIKES**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 26, 1965

Mr. SIKES. Mr. Speaker, I include herewith for printing in the CONGRESSIONAL RECORD a series of editorials which discuss the proposed National Guard-Reserve merger. I believe they are factual, clear, and worthy of consideration.

[From the San Diego Union Aug. 10, 1965,  
EDWARD MERCER SAYS DEFENSE - NATION MUST  
RELY ON RESERVES]

Discussions on military manpower held in Washington in recent weeks certainly reached the high ground of incongruity.

The need for additional manpower to meet the needs of an expanded war in Vietnam were made clear. The President, after considering a callup of the Reserves, decided instead to meet the need by increasing draft quotas.

It was incongruous that while the President was making his important and necessary decision Defense Department witnesses were asking a House committee to merge the Army Reserves into the National Guard.

As proposed, the merger would reduce the authorized drill strength of the Guard and Reserves from 700,000 to 550,000 men. Aside from savings estimated at \$150 million, proponents of the merger argued that the merger would balance the men with the equipment to produce efficiency and readiness.

The fact is inescapable, however, that the total manpower strength of our standby armies would be reduced by 150,000 men at a time when Communists are increasing their aggression and subversion throughout the world.

We would suggest that the more proper course would be to increase weapons and equipment to meet the needs of both the Guard and Army Reserves instead of cutting the manpower to existing weapons.

There are other compelling reasons against the proposed merger of the Reserves into the Guard.

One is the fact that the Reserves, the only military standby organization wholly controlled by the Federal Government, are vital to the security and defense of the United States. So is the National Guard, which is partially controlled by the States.

Today as never before, the United States must be in a position to muster quickly a ready combat force to meet any threat to our freedom wherever it erupts. The Reserves have proved their worth time and again in every major war in which the United States has fought.

While the increased draft is essential, it will be many weeks before the new men are recruited and trained. Even after they join combat forces, the United States will need a reservoir of trained men in reserve that can be met only with a strong National Guard and Army Reserve.

Merger of the Reserves and the National Guard is not feasible now or in the foreseeable future. Furthermore, continued pressure by the Pentagon for the merger at a

time when military manpower needs are expanding can serve only to undermine the morale and recruitment of all the Reserves.

[From the Buffalo Evening News, Aug. 19, 1965]

#### VITAL GUARD MISSION

Reliance upon prompt action by National Guard units to restore order in riot-torn Los Angeles—as in the breakdown of law in Rochester last year—illustrates a vital point about the Guard's historic role as a peacetime force readily available to every State for the preservation of domestic order and public safety.

When it became clear that the Los Angeles police could not cope with the spread of last week's riots, California moved in units of its Guard camped nearby. But for the presence of guardsmen under competent command and trained in dealing with such emergencies, the Los Angeles nightmare might have become infinitely worse.

Such peacetime use of the Guard gives added weight to arguments by opponents of Defense Secretary McNamara's drive to merge all the Nation's Reserve forces under the National Guard. They fear this would result ultimately in shifting the citizen militia to total Federal control.

The National Guard legally is a State-administered military force, subject to competent orders of State or Federal authorities in providing protection of life and property and preserving peace. In its dual State-Federal missions, it is subject to callup as part of the Nation's wartime military forces.

But if Guard units became the Nation's sole source of reserve manpower as the McNamara plan provides, critics can well wonder how long it would be before the Pentagon would insist upon calling all the shots in the chain of command—thus scrapping any State jurisdiction for all practical purposes. Aside from this fundamental issue of weakening a vital police instrument of the States, moreover, there's the additional consideration that the McNamara plan would concentrate the Guard's strength in just a handful of priority units.

Fortunately, the House Armed Services Committee rejected so radical a reserve realignment—and in telling Mr. McNamara to come back with a plan more acceptable, the Congressmen undoubtedly had in mind the potential hazards in weakening the historic military balances in our Federal system. A wise precaution, we think, against crippling an essential Guard mission.

[From the Long Beach (Calif.) Press-Telegram, Aug. 16, 1965]

#### WISE MILITARY DECISION

The decision made last week by a House Armed Services subcommittee to kill Secretary of Defense Robert McNamara's proposal to merge the Army Reserve into the National Guard was a wise one.

As subcommittee chairman, F. EDWARD HENRIT, Democrat, of Louisiana, pointed out, the plan for all practical purposes would have destroyed the Army Reserve by transferring all of its organized training functions to the National Guard—a State-controlled organization.

As pointed out last week in a series of three articles on these pages by Press-Telegram Sunday Editor Everett W. Hosking, Secretary McNamara's proposal was creating a bitter split between the Guard and reservists just when the Nation most needs to present a strong, united front against the Communists.

It seems to us that Mr. McNamara's computers have been spinning their wheels—that someone forgot to feed it the facts of Korea, the Berlin airlift and the Cuban crisis where reservists played a major role.

A big point has been made by Secretary McNamara that the National Guard units are better equipped than Reserve units

This would seem to point out that the Department of Defense has been at fault rather than the units of the Reserve.

George C. Marshall, one of the Nation's greatest soldier-statesmen, was lavish in his praise of the Reserve. He was quoted many times as saying that but for 150,000 trained Reserve officers available in 1940 it was questionable if we could have prepared quickly enough to win World War II.

Figures compiled by the Reserve Officers Association which is composed of both Guard and Reserve officers show that 98 percent of the officers killed in action during World War II were reservists.

We are thankful that the merger proposal has been buried and we hope that it will not be revived.

We feel that the Nation needs its Reserve, its National Guard, and its Regular military men all working together in a spirit of national unity.

It is obvious with our Sino-Soviet confrontations all over the globe that the United States needs to have available every trained military individual possible.

Our Nation needs to constructively build its strength—not tear it down.

[From the St. Louis Globe-Democrat, Aug. 12, 1965]

#### RESERVE MERGER KAFUT

Congress has definitely shelved Defense Secretary McNamara's proposal for abandoning the Army Reserve and attempting to shift its members into the National Guard. Chairman F. E. HENRIT's House Armed Services subcommittee refused yesterday to act on the legislation.

This is a most sound decision. We can think of no change in our reserve posture more foolhardy at this time. Mr. HENRIT declared the scheme would have resulted in "immediate and serious loss in combat readiness of the affected Reserves" and clearly would not be in the national interest.

He is dead right. This merger plan was dead wrong.

It would have destroyed the trained Army Reserve, slashed overall Reserve components from 29 divisions and 11 brigades to 8 divisions and 16 brigades, cutting the total strength from 700,000 to a maximum of 550,000. At this period of Vietnam crisis, every unit of Reserves may be needed at instant notice. It would be hard to conceive of a more inopportune time to scrap the Army Reserves.

Mr. McNamara thought the suggested cut would "streamline" reserves and save \$156 million. No doubt some streamlining is needed; certainly more equipment is urgently required.

But destroying the Army Reserve and trying to force members into politically commanded State Guards would streamline nothing but a highway to hazard. We can't afford such economy with a hot war escalating.

**Sam Rose, "Mr. VA," Chief Contact Division, Veterans' Administration**

#### EXTENSION OF REMARKS OF

**HON. LEONARD FARBSTAIN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 30, 1965

Mr. FARBSTAIN. Mr. Speaker, much has been said of the anonymous civil servants who assist Members of this body in various ways to better serve their constituencies. We have, over the years, accepted their services but on all too few occasions have we had the opportunity